

MESSAGE NO: 5191306 MESSAGE DATE: 07/10/2015

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: SCO-Scope PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 80 FR 34899 FR CITE DATE: 06/18/2015

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-955

EFFECTIVE DATE: 06/01/2015 COURT CASE #: 12-00215

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Final Scope determination on Certain Magnesia Carbon Bricks from the People's Republic of China (C-570-955)

1. On 05/22/2015, the U.S. Court of International Trade (CIT) sustained the Final Redetermination issued by Commerce pursuant to Fedmet Resources Corporation v. United States (Ct. No. 12-00215). As a result, Commerce published in the Federal Register (80 FR 34899) on 06/18/2015, with an effective date of 06/01/2015, the Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision.

2. Although, as a result of the CIT's final decision, Bastion® magnesia alumina carbon bricks which were produced and/or exported by Fengchi Imp. and Exp. Co., Ltd. of Haicheng City and Fengchi Refractories Co., of Haicheng City, and imported by Fedmet Resources Corporation are outside the scope of the order on certain magnesia carbon bricks from the People's Republic of China (PRC), CBP is directed to suspend or continue to suspend liquidation of all entries of Bastion® magnesia alumina carbon bricks from the PRC entered, or withdrawn from warehouse, for consumption on or after 06/01/2015. For purposes of this scope ruling, , Bastion® magnesia alumina carbon bricks are defined as containing approximately 8 to 15 percent aluminum oxide (chemical formula Al_2O_3), more commonly known as alumina, 3 to 15 percent carbon, 75 to 90 percent magnesia, as well as smaller amounts of silicon dioxide, calcium oxide, iron oxide, and titanium dioxide.

3. As a result of the CIT's final decision, a cash deposit rate of zero is applicable to entries identified in paragraph 2 above.

4. Because the revised cash deposit rate is to be applied retroactively to entries made on or after 06/01/2015, Commerce will issue instructions for granting a refund on any overcollection in a separate message.

5. These cash deposit requirements will remain in effect until further notice.

6. Do not liquidate any entries of the merchandise covered by the injunction with court number 12-00215, which is referenced in message 3073302, dated 03/14/2013 and is applicable to Fedmet's

Bastion® magnesia alumina carbon bricks which were produced and/or exported by Fengchi Imp. and Exp. Co., Ltd of Haicheng City and Fengchi Refractories Co., of Haicheng City, and imported by Fedmet Resources Corporation, and which were entered, or withdrawn from warehouse, for consumption on or after 09/26/2011, until specific liquidation instructions are issued.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O7:AH.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party